

observe special conditions, to be decided by parliament.

11. Imperial decrees cannot be issued to replace the law except in the event of urgent necessity, in which case they may be issued in accordance with special conditions.

12. International treaties shall not be concluded without the consent of parliament, but a treaty for the conclusion of peace or a declaration of war may be made by the emperor if parliament is not sitting, the approval of parliament to be obtained afterward.

13. Ordinances in connection with the administration shall be settled by acts of parliament.

Relative to Budget.

14. In case the financial budget fails to receive the approval of parliament the government may not act upon the budget of the previous year, nor may items of expenditure not provided for in the budget be appended thereto. The government shall not adopt extraordinary financial measures outside the budget.

15. Parliament shall fix the expenses of the imperial household and any increase or decrease therein.

16. Regulations in connection with the imperial family must not conflict with the constitution.

17. The two houses shall establish the machinery for the administration of the court.

18. The emperor shall promulgate the decisions of parliament.

19. The national assembly shall not act upon articles 8, 9, 10, 12, 13, 14, 15 and 18 until the opening of parliament.

Tell of Hankow Fight.

HONG KONG, China, November 3.—Delayed dispatches from Hankow, sent via Wu Han, describe the situation there on the night of November 1 as appalling. An enormous conflagration was sweeping over the city, and fighting was in progress in several quarters. The considerable bodies of rebels and loyalists, the imperial batteries were lifting explosive shells into the native quarter, while the rebels on the other side of the river were firing from the European concessions, and several stray shells dropped in the British concession, but without doing serious damage.

The victory of Kwan-Tung province at Canton has dispatched a gunboat to this city to transport the imperial supply of ammunition, firearms and Maxims, which has been contracted for with foreign firms here.

Mutiny at Chapel.

LONDON, November 3.—A news dispatch from Shanghai says that the native constabulary of Chapel, a suburb of Shanghai, which was composed of Chinese and British, mutinied today and burned the police station and the residence of the chief of police. Foreign volunteers were mobilized to maintain order. For several days the natives at Chapel had been quarrelling, and the Chinese had been firing from the European concessions, and several stray shells dropped in the British concession, but without doing serious damage.

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Mutiny at Chapel.

CONFIDE OF ACQUITTAL

James B. McNamara Confident of Favorable Verdict.

DELAY IN GETTING JURY

Slow Progress in Trial of Alleged Dynamiter at Los Angeles.

STATE'S CHAIN OF EVIDENCE

Important Link Admitted to Be Held Up in Indianapolis—Line of Defense.

LOS ANGELES, Cal., November 3.—With the striking drama of reaching a panel of twelve jurors, against whom both the defense and prosecution planned to direct a fairly broadside of peremptory challenges, the McNamara murder trial went listlessly forward today. Though the process is slow drawn out, it is hoped to obtain a jury about Tuesday.

Notwithstanding the fact that only two men were required to be passed for cause by both sides before the first batch of peremptory challenges would be announced, interest of counsel at the opening of court today centered on reports from Indianapolis as to the availability of certain evidence desired from that city by the prosecution here.

The state's attorney admitted that an important link to them in the chain of evidence was the testimony of a witness who the defendant was alleged to have secured in Indianapolis, a witness who they considered the passage of the jurisdiction at Indianapolis a definite asset to the matter is by no means assured.

Mapping Out Plan of Defense.

Clarence S. Darrow, chief counsel for the defense, examined the books and papers to be brought here, but he did not hesitate to declare that members of his staff were mapping out a plan of defense with which to oppose the so-called evidence.

Incidentally, Attorney Darrow smilingly passed along to the newspaper men today a copy of the anonymous letter he had received taking issue with him for defending the McNamara brothers. Attorney Darrow regarded the letter as a definite asset to the matter is by no means assured.

A typical scene in which James B. McNamara, the defendant, figured, was that of today when, standing just outside the courtroom, some local newspaper men of the border of the European settlement in Shanghai.

"By the way," remarked one of the visitors to the prisoner, "we need a printer at our shop, and since you are one of a job, drop around tonight and see the boss."

"Certainly," replied McNamara, lightly, "that's my trade, but I'm a bit busy with the trial at present. But it won't be long before I can take you up on a proposition like that."

Confident of Acquittal.

McNamara declared firmly he will be a free man soon. He has absolute confidence in the ability of his attorneys to win the case for him, and says he is not worrying.

That an important part of the evidence is to be circumstantial has been indicated by the right course of questioning which state has pursued since the trial began, insisting that those who did not accept circumstantial evidence should be arrested. The penal code, silent on the question of circumstantial evidence, contains a clause which exempts a witness from serving who has conscientious scruples against testifying in a case where a verdict of guilty where the offense is punishable with death.

On this clause those who have been giving evidence in this case have been excused, usually by examination also have been shown to have the required "conscientious" opinions and have been excused.

Resists Move by State.

Attorney Darrow, in resisting challenges preferred by the state against the evidence, has attempted frequently to question the admissibility of the evidence by pointing out to them that circumstantial evidence might be strong and all-convincing, and has endeavored to get them to admit that after all, therefore, they could consider it. This, however, he has done mostly with a pet illustration which today he laughingly said he would discuss the result of the farmer's dissertations on the subject when examined as a witness.

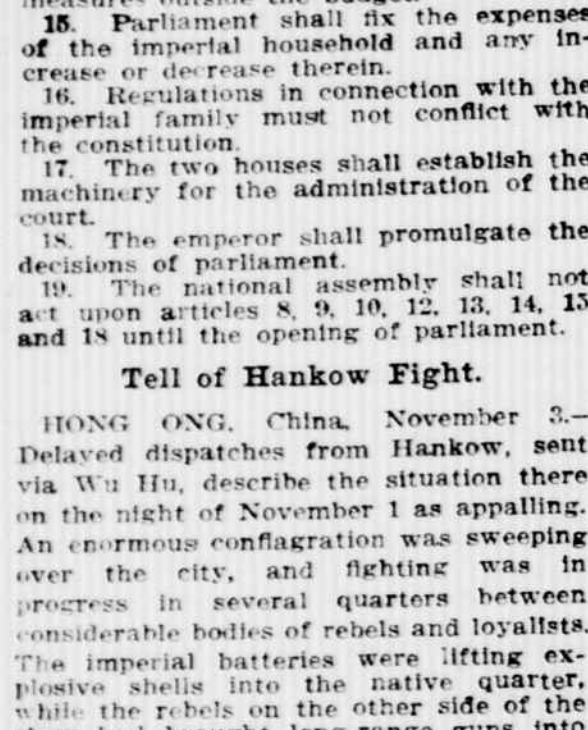
The exclusive output of the four horses," said Attorney Darrow, in explaining how circumstantial evidence might be conclusive, and the horse had three good shoes, and one of the fourth shoe was missing, and you went along further and came upon a horse whose three good shoes fitted the tracks perfectly, as if the half shoe, would you not feel justified in concluding beyond doubt that the horse had been along the road where you observed the tracks?"

Reasons Were Conclusive.

Louis Wilhelm shattered this theory when he answered that he would not believe in circumstantial evidence, or, as he explained, "because I have had experience in hunting my own horses almost identical with that. I found instead of my horses two old skates."

Judge Bordwell had a new venture summoned today, as when court opened only one man remained, the vendor of the horses used. In the jury box were the following: N. Frampton, G. W. McKee, Frank Frakes, Samuel Mendenhall, G. H. Johnson, D. Green, F. Bain, Seaborn Manning, D. R. W. L. McNeely and A. J. Winter, all of whom have been examined by both sides for cause and are ready for the peremptory challenge process, and the only man who has not been examined, a witness of whom was to be continued.

McNAMARAS GOING TO TRIAL.



PRINCIPALS IN LOS ANGELES DYNAMITE CASE BEING TAKEN FROM THE COUNTY JAIL TO THE COURT HOUSE.

APPOPLEXY CAUSES DEATH OF NORMAN J. COLMAN

First Secretary of Agriculture Dies on Train Bearing Him Home.

ST. LOUIS, November 3.—Norman J. Colman, first Secretary of Agriculture of the United States, died this morning on a train which was bringing him to his home here. He suffered a stroke of apoplexy yesterday while in a sleeping car berth near Lexington Junction, Mo.

Mr. Colman was being brought here by a son-in-law. He died after being unconscious for nearly twenty-four hours. He was a former lieutenant governor of Missouri, and had held many public offices. He owned and edited a farm magazine, and conducted a model farm and experiment station in St. Louis county. He is survived by two daughters.

Well Known in Washington.

Norman J. Colman was well known here as the first head of the Department of Agriculture with cabinet rank. He had previously served as commissioner of agriculture for four years. He served less than a month under President Cleveland's cabinet appointment of February 13, 1889.

His particular effort while administering the office was the establishment of government experiment stations, which have since been the source of much of the progress in the raising of the stock of the country with many millions of dollars' loss.

His death was a great loss to the department, and the government had not then attained the wide importance and the comprehensive field that it has since developed.

VOYAGE IN HYDROPLANE PLEASES NAVY OFFICERS

Unusual Feats Accomplished on Trip From Annapolis to Fort Monroe.

Word is expected at the Navy Department today of the return of Lieut. Theodore Elyson and Lieut. Towers to Annapolis from their hydroplane trip to Fort Monroe.

Capt. W. I. Chambers, who is in charge of aviation in the navy, says he is well satisfied with the showing made by the machine on the long trip. It is now returning to Annapolis under its own power.

The flight was made to a point on the beach near Fort Monroe without any stops. It was intended to have the hydroplane sent from Old Point to New York in time to take part in the fleet review by President Taft. There were no transportation facilities available, however, and Lieut. Elyson was left to get back with his passenger the best way he could to Annapolis.

Unusual Feats on Trip.

The return trip has been made with three stops, and probably will be completed this afternoon. On the flight from Annapolis a landing was made on the water, and the aeroplane was run up on the beach through quite a heavy surf without damaging the machine. This was considered quite a feat.

About an hour outside of Old Point it was found that the oil tank was leaking, and Lieut. Towers, who had been steering, handed over the control to Lieut. Elyson, and the machine was run up on the beach through quite a heavy surf without damaging the machine. This was considered quite a feat.

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TRAFFIC AT CROSSINGS IN NEED OF REGULATION

Board of Trade Committee Urges Commissioners to Adopt New Rules.

The committee on transportation of the Board of Trade, of which Alexander Britton is chairman, is making a special effort to have the District Commissioners approve the new traffic regulations which are based upon the system devised by William P. Eno. The regulations have been amended and approved by Maj. J. Vester of the metropolitan police, to whom they were referred by the District Commissioners after they had been laid before the Commissioners by the Board of Trade committee.

Hopes for Early Action.

That the Commissioners will take favorable action soon in regard to these regulations was the hope expressed by Mr. Britton today.

"There is a crying necessity for the adoption of the regulations and their enforcement," said Mr. Britton. "There are hundreds of drivers of both motor vehicles and horse-drawn carriages who violate regulations regarding the use of the streets."

The Commissioners have been inclined to delay action because the street cars are controlled by the interstate commerce commission under the law, and the police are not authorized to direct them at street crossings. But the great trouble is not with the street cars at these crossings, but with the motors and wagons and carriages over which the police have absolute control.

Plan for Enforcement.

"If these regulations are adopted, a campaign of education should be entered upon to teach all the drivers in the city what they are to do under the new rules. I think it would be advisable to have three hundred or more responsible citizens given authority by the Commissioners to stop drivers when they see them going in violation of the traffic regulations and caution them against such violations. I would not give them the power to arrest these drivers, but merely to instruct them."

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"Chief among them is that there is no set standard. After one has been fixed and it is attained by the men by strain, it is not long before some few workmen, better equipped physically, and instead of having attained the goal, as he supposed, the average workman is informed that the rate of output he has reached is no longer the standard; that it has been raised. This is kept up indefinitely.

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COMMISSIONER JUDSON TO GO ON HUNTING TRIP

Departs Tonight for Farm of Surveyor Hazen, Accompanied by Henry P. and Charles West.

Engineer Commissioner Judson will depart tonight for the farm of District Surveyor M. C. Hazen, at Leesville, Va., where, tomorrow, in company with Mr. Hazen, Henry P. West and Charles West of Washington, he will hunt the cotton tail and elusive bob white.

The decision of the Engineer Commissioner to join Mr. Hazen's hunting party tonight has caused some surprise, as the invitation of the Federation of Citizens' Associations to address that body at its meeting tomorrow night on the subject of the new water rates.

It was announced today that the federation tomorrow will consider the advisability of accepting Mr. Judson's invitation to meet at his office in the District building, when he will explain the water rates question. If it is decided to accept the invitation, the federation, it is announced, probably will endeavor to arrange for an early conference.

Mr. Judson will leave on one day hunting on the Hazen farm, but he expects to slaughter several dozen rabbits and birds, as favorable reports on the quantity of game in that section have reached him. Foster Canney of the surveyor's office and Constable Corbett, Hazen's party Wednesday and Thursday.

The party bagged twenty-three rabbits and seventeen birds the first day, according to reports brought back by Canney, but yesterday, on account of a high wind, but very little shooting was done. Mr. Hazen expects to be away until the middle of next week.

PREDICTS REPUBLICAN BOLT

Speaker Clark Says Insurgents Will Nominate La Follette.

FREMONT, Neb., November 3.—That the republican party would have two candidates for President in 1912 was predicted by Speaker Clark of the national House of Representatives here today. He declared it his opinion that President Taft would be renominated and that the insurgent republicans would split away and nominate Senator La Follette.

Speaker Clark today wound up his speaking tour in the interest of Daniel V. Blount, a candidate for Congress in the third district.

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